

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

RAYMOND JAMES & ASSOCIATES, INC.,

Plaintiff,

v.

CASE NO. 2:18-cv-02104-JTF-tmp

50 NORTH FRONT ST. TN, LLC,

Defendant.

**MOTION TO DISMISS COMPLAINT FOR INJUNCTIVE RELIEF,
DECLARATORY RELIEF, AND DAMAGES**

COMES NOW Defendant 50 North Front St. TN, LLC (“Landlord”), by and through its attorneys, and pursuant to Fed. R. Civ. P. 12(b)(6), moves this Court to dismiss with prejudice all allegations contained in the February 2, 2018 Complaint for Injunctive Relief, Declaratory Relief, and Damages (the “Complaint” at ECF 1-1) brought by Plaintiff Raymond James & Associates, Inc. (“Raymond James”).

This Motion to Dismiss challenges Raymond James’ Count II claims seeking a Declaratory Judgment; Count III claims for Breach of Lease; and Count IV claims for Negligence.¹ In support of this Motion to Dismiss, Landlord relies upon its Memorandum in Support to demonstrate that Raymond James has failed to allege facts in the Complaint stating a plausible claim on these issues, and that, therefore, Landlord is entitled to a dismissal of Raymond James’ claims as a matter of law.

1 On March 23, 2018, the Court entered its Order Denying Plaintiff’s Request for a Preliminary Injunction. (ECF 24).

WHEREFORE, PREMISES CONSIDERED, Defendant 50 North Front St. TN, LLC submits that the Complaint for Injunctive Relief, Declaratory Relief, and Damages fails as a matter of law, and respectfully requests that this Honorable Court dismiss it in its entirety with prejudice.

Respectfully submitted by,

s/ J. Lewis Wardlaw

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon the below-listed counsel this 8th day of May, 2018, through the Court's ECF System:

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